

Notice of Allowability

Application No.

09/845,421

Examiner

Prieto B.

Applicant(s)

MOLL ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/24/06.
2. ☒ The allowed claim(s) is/are 1-3,5,7-10 and 13-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT/COMMENTS

1. An Examiner's Amendment to the record appears below. Should the changes or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

Title

2. Pursuant to M.P.E.P. §606.01, this title has respectfully been changed to read as follows:

-- SYSTEM AND METHOD FOR DOWNLOADING DATA TO A MOBILE WIRELESS UNIT USING OVER-THE-AIR PARAMETER ADMINISTRATION SERVICES --

Citation of Pertinent Art:

7. The following prior art made of record and not relied upon are considered pertinent to applicant's disclosure. Copies of Non-Patent Literature documents cited will be provided as set forth in MPEP § 707.05(a):

A. RFC 2604: Wireless Device Configuration (OTASP/OTAPA) via ACAP, Gellens, R., Qualcomm June 1999, p. 1-29.

Gellens discloses receiving data download comprising loading all required provisioning information into a provisioning server (p. 7); wherein the mobile station and the provisioning server authenticate, and all required provisioning information is downloaded into the mobile station (p. 7); the Over-the-Air Parameter Administration (OTAPA) feature allows wireless service providers to update configuration data a number assignment module (NAM), IMSI, and Roaming List information in the mobile station remotely without the intervention of a third party (p. 6); providing a notification to the MS after the provisioning server has the updated configuration data; the MS may be configured with a recheck interval by which the mobile station checks in periodically to see if anything has changed at the provisioning server, the time of day and/or day of week that such rechecks should occur could be included in the provisioning data (p. 8, 10); As a standard ACAP server, the provisioning server includes configurable datasets ("data structure") and dataset inheritance for the management of the data stores(p.

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12); ACAP organizes data by datasets, the structure of a dataset is defined by the dataset class (p. 13); containing preferred data download, e.g. roaming lists (p. 14); provisioning information is located in the "OTAP" dataset class; the prefix "Provision." is used for items that are to be downloaded to the mobile, and the prefix "Client." is used for items which the client stores on the server (p. 15); depending on the OTAPA update procedures chosen (e.g., SMS, CLID, periodic recheck), the administrative client may be involved in initiating the activity. This may or may not use an interface to the provisioning server (p. 20).

B. Over-the-Air Service Provisioning of Mobile Stations in Spread Spectrum Systems, 3rd Generation Partnership Project 2 "3GPPG", Dec 1999.

The preferred roaming list consists of two tables: The system table and the acquisition table. The system table contains records. Each record identifies a system by its SID and NID. For each record, there is an indicator of whether the system is preferred or negative, the roaming status that should be indicated by the mobile station, the relative priority of the system, and its geographic region. Each record also contains an acquisition index, which indicates a record in the acquisition table to be used. The acquisition record provides the band and frequencies that the mobile station is to use when attempting to acquire the system. (Annex C, page C-1) The mobile station can then use the acquisition table entry to determine the frequencies, which should be used when attempting to acquire the preferred system. (Annex C, page C-2) ACQ_TABLE - Acquisition Table. This field contains acquisition records. The number of acquisition records is specified by NUM_ACQ_RECS. The acquisition record formats are specified in 3.5.5.2. Table C.1-2 illustrates the acquisition table. The records in the acquisition table are in order of priority (highest priority first) according to desired mobile station system selection scan order. ACQ_TABLE contains more than one acquisition record, these records should be listed in priority order (highest priority first) according to the desired mobile station system selection scanning priorities (see page 3.44).

4. Any comments Applicants considers necessary must be submitted no later than the payment of the Issue Fee and to avoid processing delays, should preferable accompany the Issue Fees. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance". In event of any post-allowance papers (e.g. IDS, 312 amendment, petition, etc.), Applicant is exhorted to mail papers to the Production Control branch in Publications or faxed to post-allowance papers correspondence branch at (703) 308-5864 to expedite issuing process or call PUB's Customer Service if any questions at (703) 305-8497.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Thursday from 5:30 to 2:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see <http://pair-direct.uspto.gov> or the Electronic Business Center at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

Hand carried or delivered to:
Customer Service Window located at the Randolph Bldg.
401 Dulany St.
Alexandria, VA 22314

Faxed to the Central Fax Office:
(571) 273-8300 (New Central Fax No.)

Or Telephone:

(571) 272-2100 for TC 2100 Customer Service Office.

B. Prieto
Primary Examiner
TC 2100
October 28, 2006

Beatriz Prieto
BEATRIZ PRIETO
PRIMARY EXAMINER